

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Planning and Transportation Committee

Meeting No. 6

Monday, June 27, 2005

The Planning and Transportation Committee met on Monday, June 27, 2005, in Committee Room No. 1, City Hall, Toronto, commencing at 9:40 a.m.

Attendance:

Members were present for some or all of the time periods indicated.

	9:40 a.m. to 12:32 p.m.	1:55 p.m. to 6:36 p.m. (including in-camera session)
Councillor John Filion, Chair	X	X
Councillor Cliff Jenkins	X	X
Councillor Peter Milczyn		
Councillor, Denzil Minnan-Wong	X	X
Councillor Howard Moscoe	X	X
Councillor Case Ootes	X	X
Councillor Karen Stintz, Vice-Chair	X	X
Councillor Michael Thompson		

On motion by Councillor Jenkins, the Planning and Transportation Committee confirmed the Minutes of its meeting held on May 25, 2005.

6-1 Installation of Telecommunication Towers

The Planning and Transportation Committee considered a report (June 13, 2005) from the Chief Planner and Executive Director, City Planning, presenting a draft protocol that includes guidelines and criteria for the siting of telecommunication towers and telecommunication facilities within the City; reporting on the study prepared for Industry Canada entitled "Report on: The National Antenna Tower Policy Review"; and reporting on the location of existing telecommunication facilities within the City.

Recommendations:

It is recommended that:

- (1) a copy of this report and the attached draft protocol be circulated to Industry Canada and representatives of the telecommunication industry for review and comment; and
- (2) staff be directed to report to the October 6, 2005 meeting of Planning and Transportation Committee evaluating the responses received from Industry Canada and representatives of the telecommunication industry on the draft protocol and with recommendations on a finalized protocol.

The following persons addressed the Planning and Transportation Committee:

- Stephen D'Agostino, Thompson Rogers, delivered a power point presentation with respect to this matter and filed a copy of his presentation; and
- Ron Barr.

Councillor Cesar Palacio, Davenport, also addressed the Planning and Transportation Committee.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the report (June 13, 2005) from the Chief Planner and Executive Director, City Planning, together with the following motions to the Chief Planner and Executive Director for report thereon to the Planning and Transportation Committee:

Moved by: Councillor Stintz

That the Chief Planner and Executive Director, City Planning be requested to meet with the Chair and the following interested members of the Planning and Transportation Committee (Councillors Stintz and Moscoe and Councillor Palacio to be invited) to develop a set of principles to guide the draft protocol discussions for the installation of telecommunication towers.

Moved by: Councillor Fillion

That the Planning and Transportation Committee recommend that City Council adopt the staff recommendations contained in the Recommendations Section of the report (June 13, 2005) from the Chief Planner and Executive Director, City Planning, subject to deleting the exemptions for Telecommunication Tower Review Applications and the exemptions for Public Consultation.

Moved by: Councillor Moscoe

That:

(I) the following definitions be referred to the Chief Planner and Executive Director, City Planning for report thereon to the Planning and Transportation Committee for its meeting to be held on October 6, 2005:

(1) the City establish the following definitions and all known telecommunications companies be so advised:

Significant

A tower shall be considered significant if, in a residential or commercial area, any part of it pierces a 45 degree plane projected from the roof line of any adjacent building towards the tower or in any zone if it pierces a 45 degree plane projected from the curb line of a road towards the tower.

Structure

A tower shall be considered a structure if its circumference exceeds 120 cm. measured at a height of one meter from the base;

- (2) Section D, “Design and Landscaping”, Part (d) shall be amended by the deleting the words “wherever feasible” so that it reads “The minimum setback of a telecommunication tower to a road right-of-way will be the height of the tower;
 - (3) Section 13, “Confirmation of Local Land-Use Authority Consultation”, be amended by the adding to Part (b), the following “(iii) site plan Conditions”; and
- (II) staff in the Urban Design Division be requested to submit a report to the Planning and Transportation Committee on how towers, and in particular co-located towers, can be made to be attractive and unobtrusive. **(Motion by Councillor Moscoe)**

(Clause 10(a), Report 6)

6-2 Archaeological Master Plan – Interim Screening of Development Applications and Proposals City Wide - All Wards

The Planning and Transportation Committee considered a report (May 16, 2005) from the Chief Planner and Executive Director, City Planning, reporting on the development of interim screening criteria and processes to identify areas of archaeological potential within the City of Toronto, pending completion of the Archaeological Master Plan.

Recommendations:

It is recommended that:

- (1) the interim screening protocol as set out in Section 3 of this report be adopted pending the completion of the Archaeological Master Plan;
- (2) interim screening criteria maps set out in this report, as Attachments 3, 4 and 5, and as amended from time to time as more data becomes available through the Archaeological Master Plan study, be used to screen areas for archaeological potential;

- (3) a copy of all archaeological assessment reports be forwarded to Policy and Research - Heritage Preservation Services for clearance and database purposes; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect hereto.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the Recommendations Section of the report (May 16, 2005) from the Chief Planner and Executive Director, City Planning.

(Clause 1, Report 6)

6-3 Toronto Heritage Grant Program – Proposed Restructuring City-Wide

The Planning and Transportation Committee considered the following report and communication:

- (1) Report (June 2, 2005) from the Chief Planner and Executive Director, City Planning, recommending the restructuring of the Toronto Heritage Grant Program.

Recommendations:

It is recommended that:

- (1) Council approve the proposed restructuring of the Toronto Heritage Grant Program as set out in (a) of the Comments section of this report;
- (2) staff report back to Council early in 2006 on the implementation of the Toronto Heritage Grant Program in 2005 and recommend a long-term funding strategy for the Program;
- (3) the Chief Planner and Executive Director of the City Planning Division be authorized to sign Letters of Understanding in the form or substantially in the form of Attachment No. 2 of this report, with Toronto Heritage Grant Program award recipients;

- (4) authority be granted by City Council for the execution of a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with any property owner receiving \$20,000 or more in total funding from the Toronto Heritage Grant Program;
 - (5) this report be referred to the Budget Advisory Committee for information; and
 - (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto; and
- (2) Communication (June 10, 2005) from the Toronto Preservation Board advising that the Toronto Preservation Board on June 9, 2005 recommended to the Planning and Transportation Committee that City Council:
- (1) adopt the staff recommendations in the Recommendations Section of the report (June 2, 2005) from the Chief Planner and General Manager, City Planning Division; and
 - (2) amend part (d) in the Toronto Heritage Grant Program Eligibility Requirements (Attachment 3) of the staff report by deleting the words “paint analysis” and substituting the words “colour and finish analysis”.

On motion by Councillor Jenkins, the Planning and Transportation Committee referred the report (June 2, 2005) from the Chief Planner and Executive Director, City Planning, to the Economic Development and Parks Committee for consideration at its meeting scheduled to be held on July 4, 2005.

(Economic Development and Parks Committee – June 27, 2005)

(Clause 10(b), Report 6)

6-4 West Don Lands Precinct Plan and Environmental Assessment Master Plan

The Planning and Transportation Committee considered a communication (May 25, 2005) from the City Clerk advising that City Council on May 17, 18 and 19, 2005, considered Clause 1, Report 5 of the Policy and Finance Committee headed “West Don Lands Precinct Plan and Environmental Assessment Master Plan”, and referred to the Planning and Transportation Committee, the issue of establishing a special development levy to the West Don Lands Precinct, specifically to enhance the public transit component of the West Don Lands Precinct; and that Council also requested the Planning and Transportation Committee to consider innovative ways to utilize funds raised to encourage the public transit orientation expressed in the precinct plan.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the communication (May 25, 2005) from the City Clerk to the Project Director, Waterfront Secretariat for report thereon to the Policy and Finance Committee.

(Project Director, Waterfront Secretariat – June 27, 2005)

(Clause 10(c), Report 6)

**6-5 West Toronto Diamond Rail-to-Rail Grade Separation
Extension of Grade Separation to North of St. Clair Avenue West**

The Planning and Transportation Committee considered a report (June 13, 2005) from the Chief Planner and Executive Director, City Planning, responding to City Council's direction of May 18, 2005 regarding the Environmental Assessment (EA) recently completed by GO Transit in relation to the West Toronto Diamond Rail-to-Tail Grade Separation.

Recommendations:

It is recommended that:

- (1) City Council not pursue any additional investigations related to extending the trench for the CN/CP West Toronto Diamond Rail-to-Rail Grade Separation to cross under St. Clair Avenue West, due to the prohibitive high costs that would be borne by the City of Toronto; and

- (2) City Council direct staff to work with the St. Clair West Community Design Consultation Group to improve physical conditions in and around the CN/CP structure east of Keele Street as part of the detailed design work for the St. Clair Avenue West Transit Improvements project.

The following Members of Council addressed the Planning and Transportation Committee:

- Councillor Frances Nunziata, York-South Weston; and
- Councillor Cesar Palacio, Davenport.

On motion by Councillor Minnan-Wong, on behalf of Councillor Palacio, the Planning and Transportation Committee deferred consideration of this matter until its meeting scheduled to be held on September 12, 2005, by which time the Acting General Manager, Transportation Services would have submitted his report on the funding requirements for this project.

(Clause 10(d), Report 6)

**6.6 Revised Land Use Mapping for
the New Official Plan – 003011**

The Planning and Transportation Committee considered a report (June 10, 2005) from the Chief Planner and Executive Director, City Planning, seeking Council's approval to replace the existing Land Use Plan Maps in the new Official Plan with revised Land Use Plan Maps which now include the local road network and a bar scale as directed by Council.

Recommendations:

It is recommended that:

- (1) Council approve the revised Land Use Plan Maps for the new Official Plan, in the form of modifications substantially set out in Appendix A;
- (2) the City Solicitor be authorized to take the necessary actions at the upcoming Ontario Municipal Board hearing to give effect to the revised Land Use Plan Maps; and

Planning and Transportation Committee Minutes
Monday, June 27, 2005

- (3) the appropriate City officials be authorized to execute any necessary documentation, in a form satisfactory to the City Solicitor.

The Planning and Transportation Committee also considered the following communications:

- (1) (June 15, 2005) from Mr. George Belza, ANALOGICA;
- (2) (May 15, 2005) from Mr. William H. Roberts;
- (3) (June 26, 2005) from Mr. George Belza, ANALOGICA; and
- (4) (June 27, 2005) from Mr. Mark R. Flowers, Davies Howe Partners.

The following persons addressed the Planning and Transportation Committee:

- George Belza, on behalf of five central Willowdale Ratepayers Associations and filed a written submission with respect to this matter;
- William H. Roberts, on behalf of CORRA (the Confederation of Resident and Ratepayer Associations in Toronto); and
- George Milbrandt, on his own behalf and on behalf of FONTRA, and filed a written submission with respect to this matter.

The Planning and Transportation Committee:

(A) recommended that:

- (1) City Council adopt the staff recommendations contained in the Recommendations Section of the report (June 10, 2005) from the Chief Planner and Executive Director, City Planning; (**Motion by Councillor Moscoe**)
- (2) the City Solicitor be authorized to bring the revised, modified maps to the Ontario Municipal Board for such further review as the Board may determine prior to their final approval; (**Motion by Councillor Jenkins**)
- (3) when the appeal period expires that the land use maps being forwarded to Council for adoption, reflects the Official Plan Amendment adopted by Council at its meeting held on June 14, 15 and 16, 2005

re-designating the lands at 1300 and 1340 Leslie Street from “Mixed Use” to “Neighbourhoods”; **(Motion by Councillor Jenkins)**

- (B) authorized the Chief Planner and Executive Director, City Planning, between now and the meeting of Council scheduled to be held on July 19, 2005, to make any minor adjustments to the map to deal with problems that might arise; **(Motion by Councillor Moscoe)**

- (C) requested the Chief Planner and Executive Director, City Planning:
 - (i) to confirm the dimensions and location of the parkette at the north-east corner of Yonge Street and Lawrence Avenue, and modify the land use maps as may be necessary in order to ensure that the maps forwarded to Council for adoption correctly designate this parkette; **(Motion by Councillor Jenkins)** and

 - (ii) to consult with the Director of Planning, North Region, regarding the land use maps related to 1 Botham, and if appropriate, bring forward any modifications to the meeting of Council scheduled to be held on July 19, 2005; **(Motion by Councillor Filion)** and

- (D) referred the issues raised by the speakers appearing at the June 27, 2005, meeting of the Planning and Transportation Committee, to the Chief Planner and Executive Director, City Planning. **(Motion by Councillor Moscoe)**

(Chief Planner and Executive Director, City Planning – June 27, 2005)

(Clause 2, Report 6)

6-7 By-law to Provide a Right to Enter Adjoining Land to Make Repairs and Alterations

The Planning and Transportation Committee considered a report (June 8, 2005) from the Executive Director, Municipal Licensing and Standards, introducing new by-law provisions, as authorized by the Municipal Act, 2001, to provide a right to enter adjoining property for the purposes of making repairs and alterations.

Recommendations:

It is recommended that:

- (1) the draft by-law as set out in Schedule “A” be adopted;
- (2) the City Solicitor be directed to prepare the necessary bill to amend Municipal Code Chapter 363, Building Construction and Demolition, as required, to give effect to the recommendation in this report; and
- (3) copies of this report be forwarded to each of the Community Councils for information purposes.

On motion by Councillor Jenkins, the Planning and Transportation Committee referred the report (June 8, 2005) from the Executive Director, Municipal Licensing and Standards to the North York Community Council and the Etobicoke York Community Council for consultation and consideration and report thereon to the Planning and Transportation Committee meeting scheduled to be held on October 6, 2005.

(Etobicoke York Community Council; North York Community Council –
(June 27, 2005)

(Clause 10(e), Report 6)

**6-8 Toronto Licensing Tribunal Decisions
Regarding 222 Spadina Avenue**

The Planning and Transportation Committee considered a confidential report (June 9, 2005) from the City Solicitor regarding the Toronto Licensing Tribunal Decisions regarding 222 Spadina Avenue, such report to be considered in-camera as the subject matter relates to litigation or potential litigation.

On motion by Councillor Stintz, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (June 9, 2005) from the City Solicitor respecting the Toronto Licensing Tribunal Decisions regarding 222 Spadina Avenue, which was forwarded to Members of Council under confidential cover; and further, in accordance with the Municipal Act, discussions pertaining thereto be held in-camera as the subject matter relates to litigation or potential litigation.

(Clause 3, Report 6)

6-9 Appointment of Chair of Toronto Licensing Tribunal

The Planning and Transportation Committee considered the following:

- (1) communication (June 1, 2005) from the Policy and Finance Committee advising that the Policy and Finance on June 1, 2005, amongst other things, referred the confidential report (May 30, 2005) from the City Manager and the City Solicitor, entitled "Appointment of Chair of Toronto Licensing Tribunal", to the Planning and Transportation Committee for consideration and report thereon to the Policy and Finance Committee for its meeting scheduled to be held on July 7, 2005;
- (2) confidential communication (February 9, 2005) from the Toronto Licensing Tribunal respecting appointment of Chairs and Vice-Chairs to the Tribunal, such communication to be considered in-camera as the subject matter relates to identifiable individuals; and
- (3) communication (June 10, 2005) from Ms. Heidi Rubin respecting her appointment to the Toronto Licensing Tribunal, such communication to be considered in-camera as the subject matter relates to an identifiable individual.

On motion by Councillor Filion, the Planning and Transportation Committee recommended that the Policy and Finance Committee and City Council adopt the recommendations of the Planning and Transportation Committee contained in the confidential communication

(June 27, 2005) from the Planning and Transportation Committee; and further that in accordance with the Municipal Act discussions pertaining thereto be held in-camera as the subject matter relates to identifiable individuals.

(Clause 10(f), Report 6)

6.10 Temporary Sign By-law - Principles and Proposed By-law Provisions for a City-Wide A-Frame and Mobile Signs By-law

The Planning and Transportation Committee considered a report (June 13, 2005) from the Executive Director, Municipal Licensing and Standards reporting on further consultations related to Appendix H, entitled “Charitable and Religious Institutions, Community Organizations and Public or Separate Schools.

Recommendations:

It is recommended that:

- (1) City Council adopt the proposed by-law provisions contained in Appendix H - Charitable and Religious Institutions, Community Organizations and Schools, attached to this report and direct the City Solicitor to prepare the necessary bill to give effect to the recommendations in this report, and
- (2) the Executive Director, Municipal Licensing and Standards, continue to consult to develop a comprehensive set of regulations and standards relating to temporary signage available to Charitable and Religious Institutions, Community Organizations and Schools.

The Planning and Transportation Committee also considered a communication (May 25, 2005) from the City Clerk advising that City Council on May 17, 18 and 19, 2005, considered Report 3, Clause 1a of the Planning and Transportation Committee headed “Principles and Proposed By-law Provisions for a City-Wide A-Frame and Mobile Signs By-law” and referred Appendix H, entitled “Charitable and Religious Institutions, Community Organizations and Public or Separate Schools” back to the Planning and Transportation Committee to allow for further consultation and review, and requested the Executive Director, Municipal Licensing and Standards, to report to the July 19, 2005, meeting of City Council, through the Planning and Transportation Committee, on the outcome of the consultations.

The Planning and Transportation Committee held a public meeting on June 27, 2005, in accordance with the Municipal Act, 2001, and notice of the proposed amendment to Toronto Municipal Code was posted on the City's web site for a minimum of four days.

The following persons addressed the Planning and Transportation Committee:

- Joel Richler, Region Chair, Canadian Jewish Congress Ontario Region; and
- Stephen Adler, Acting Director, Public Policy, Canadian Jewish Congress Ontario Region.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the Recommendations Section of the report (June 13, 2005) from the Executive Director, Municipal Licensing and Standards.

(Clause 4, Report 6)

6.11 Transfer of Solid Waste Management Enforcement Team to Municipal Licensing and Standards Division

The Planning and Transportation Committee considered a report (June 15, 2005) from the Deputy City Manager, reporting on the integration of the Solid Waste Management Enforcement Team into the Municipal Licensing and Standards Division.

Recommendations:

It is recommended that:

- (1) the transfer of the Solid Waste Management Enforcement Team to Municipal Licensing and Standards be approved, in principle; and
- (2) the Executive Director, Municipal Licensing and Standards and the General Manager, Solid Waste Management, report back prior to the 2006 budget process on the specific budget items to be transferred.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the

Recommendations Section of the report (June 15, 2005) from the Deputy City Manager.

(Clause 5, Report 6)

6-12 Licensing Strategy to Deal with Illegal Body Rub Activity in Licensed Premises

The Planning and Transportation Committee considered the following reports and communications:

- (i) report (June 20, 2005) from the Executive Director, Municipal Licensing and Standards Division responding to numerous and related requests of City Council, detailed within the background, concerning the presence of illegal enterprises within the licensed business community--primarily in the areas of Holistic, Traditional Medicine and Body Rub Establishment and Practitioners/Attendants.

Recommendations:

It is recommended that:

- (1) this report be forwarded to the Federal Minister of Human Resources Development as a demonstration of the concerns arising from certain institutions which issue Holistic Practitioner Accreditation, under the authority of approvals granted by this agency, and to convey an understanding of some of the impacts resulting from those approvals;
- (2) Professional Holistic and Traditional Medicine Associations be invited to submit proposals to the Executive Director of Municipal Licensing and Standards not later than September 1, 2005, setting out, at minimum, the following information:
 - (a) their purpose in and continuing intent to ensure safe and appropriate provision of one or more modalities of Holistic or Traditional Medicine;
 - (b) the modalities and holistic and/or traditional medicine practices that the organization oversees;
 - (c) proof of the registered not-for-profit status of the organization;

- (d) all by-laws and procedures governing requirements for membership in the association, including a description of minimum training requirements to be attained by prospective members,
- (e) requirements and process of enforcement exercised by the organization relating to their code of ethics respecting the provision of services;
- (f) the maintenance, provision and recognition of measurable standards for practices and procedures in the provision of holistic services;
- (g) their means of communicating and reinforcing their principles among their membership;
- (h) their existing or proposed disciplinary system; and,
- (i) the membership of their board of directors, and confirmation that it is comprised of a majority of licensed Holistic and/or Traditional Medicine Practitioners, duly elected by a majority of practitioner members in good standing;

and that the Executive Director of Municipal Licensing and Standards evaluate these submissions and report her evaluation and recommendations back to the Planning and Transportation Committee at their meeting scheduled in November of 2005.

Such recommendations will ultimately result in the designation of authority for those approved associations to be relied upon for the purpose of ensuring the proper accreditation of Holistic and Traditional Medicine Practitioners;

- (3) Staff investigate and report back to the Planning and Transportation Committee on the need for and, if recommended, operating standards to be applied to the licensing of other businesses, which have been identified as potential concerns, such as nail and tanning salons;
- (4) the following amendments be made to Article XI of Toronto Municipal Code Chapter 545, Licensing:

- (i) Replace the term “complementary healthcare organization” with “professional holistic association” and redefine the term to include a requirement that such associations must be not-for-profit organizations with boards of directors elected by the member practitioners;
- (ii) Strengthen provisions pertaining to the submission of documents by requiring submission of original documents, in person, during the licence application process;
- (iii) Exclude all Provincially licensed and regulated healthcare providers from the City’s business licensing requirements;
- (iv) Repeal requirement to have an itemized bill for every patient available for inspection;
- (v) Clarify that a single practitioner operating out of their home (in compliance with the relevant zoning by-law) or who makes offsite calls, may do so legally with only a holistic practitioner’s licence;
- (vi) Amend the provisions prohibiting the possession of drugs and alcohol on the premises to provide for the availability of ethanol, for the preparation of herbal medicines;
- (vii) Amend provisions as they prohibit contact with specified body areas to permit manipulation of the region of the axilla (the flank of the breast near the armpit) or of buttock muscles;
- (viii) Amend and strengthen requirements pertaining to appropriate attire and conduct to require clean, opaque professional clothing and to be civil and well behaved to members of the public;
- (ix) No individual room, cubicle or door providing access to areas where Holistic or Traditional Medicine Services are provided shall be locked, and no premises in which a Holistic or Traditional Medicine Establishment is located shall be constructed or equipped so as to hinder or prevent the enforcement of the by-law; and,

- (x) No Holistic or Traditional Medicine Establishment shall be located within 200 metres of any licensed Adult Entertainment Parlour and Body Rub Parlour.
 - (5) the Business Licensing Thresholds be amended to reflect that offences pertaining to the provision of services by minors within Holistic and Traditional Medicine Establishments be reclassified as a restriction code 8 offence;
 - (6) the Medical Officer of Health be requested to report to the Board of Health, such report to be then forwarded to the Executive Director of Municipal Licensing and Standards to prepare a corresponding report to the Planning and Transportation Committee, dealing with the appropriateness of requiring health checks for Body Rub Attendants and Holistic and Traditional Medicine Practitioners;
 - (7) the appropriate City officials be authorized and directed to take any necessary action to give effect to the recommendations set out in this report; and
 - (8) the City Solicitor be directed to introduce the necessary bills to give effect to the recommendations in this report.
- (ii) communication (May 27, 2005) from the City Clerk advising that City Council on May 17, 18 and 19, 2005, re-opened Policy and Finance Committee Report 5, Clause 11, headed “Review of Business Licensing Fees/Establishment of Traditional Medicine Establishment and Practitioner Licences”, only as it pertains to traditional medical establishments and practitioners, and adopted the balance of the following Motion, as amended:

Moved by Councillor Altobello, seconded by Councillor Chow

“WHEREAS last year, City Council placed a moratorium on the implementation of licensing traditional medical establishments and practitioners and also stopped the consultation with this sector, as the Province of Ontario had indicated its willingness to regulate this industry; and

WHEREAS City staff is to report in July 2005, on its consultation regarding massage parlours and the moratorium is to expire the end of the year; and

WHEREAS the Ministry of Health established a task force, chaired by MPP Tony Wong, which has recently concluded its consultations on this matter, and both the Premier of Ontario and the Ministry of Finance have pledged to take action; and

WHEREAS the City of Toronto has urged the Provincial Government to regulate traditional medical establishments and practitioners through the Ministry of Health, and given recent developments, there is no need for the City to duplicate the efforts of the Province;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 5, Clause 11, headed 'Review of Business Licensing Fees/Establishment of Traditional Medicine Establishment and Practitioner Licences', be re-opened for further consideration, only as it pertains to traditional medical establishments and practitioners;

AND BE IT FURTHER RESOLVED THAT the City of Toronto return the mandate of licensing traditional medicine establishments and practitioners to the Provincial Ministry of Health;

AND BE IT FURTHER RESOLVED THAT City Council consider amending Chapter 545-452, Licensing, in order to delete those provisions relating to traditional medical establishments and practitioners;

AND BE IT FURTHER RESOLVED THAT the Planning and Transportation Committee hold a public meeting to consider this matter and that notice of the meeting be given, as required by the *Municipal Act, 2001*, and Chapter 162, Notice, Public;

AND BE IT FURTHER RESOLVED THAT the Executive Director of Municipal Licensing and Standards be requested to report to the public meeting of the Planning and Transportation Committee on this matter."

- (iii) communication (Undated) from Councillor Olivia Chow regarding City of Toronto licensing of Traditional Chinese Medicine practitioners.

Recommendation:

The City of Toronto should return the mandate of licensing traditional Chinese medicine practitioners to the provincial ministry of health. Also, the position by-law 658-2004, as it relates to Traditional Chinese Medical practitioners be cancelled.

- (iv) confidential report (June 23, 2005) from the City Solicitor, entitled Proposed Holistic Regulations – Legal Issues”, such report to be considered in-camera as the subject matter relates to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (v) (June 24, 2005) from Councillor Giorgio Mammoliti, York West;
- (vi) (June 24, 2005) from Ms. Celina Ainsworth, Clinical Herbalist;
- (vii) (June 24, 2005) from Mr. Darryl Burgwin, PhD Candidate, Graduate Programme in Sociology, York University;
- (viii) (June 24, 2005) from Mr. Eric Brown;
- (ix) (June 26, 2005) from Mr. Eric Brown;
- (x) (June 26, 2005) from Mr. Brian Maguire, Acting Chair of Confederation of Resident and Ratepayer Associations in Toronto (CORRA);
- (xi) (June 26, 2005) from Mr. William H. Roberts, Director, Swansea Area Ratepayers Association;
- (xii) (June 24, 2005) from Mr. Don Reid, RRPr, Governmental Affairs, RRCO;
- (xiii) (June 22, 2005) from Alex Macdonald, Senior Associate, Strategic Communications Activation Analysis Group Inc.;
- (xiv) (June 27, 2005) from George Smitherman, Minister of Health and Long-Term Care; and
- (xv) (Undated) from Deanna Villa.

The Planning and Transportation committee held a public meeting on June 27, 2005, in accordance with the Municipal Act, 2001, and notice of the proposed amendment to Toronto Municipal Code Chapter 545, Licensing, was posted on the City's web site for a minimum of four days.

Pam Coburn, Executive Director, Municipal Licensing and Standards, provided a presentation with respect to this matter and filed a copy of her presentation.

The following persons addressed the Planning and Transportation Committee:

- Tim Lambrinos, Executive Director, Adult Entertainment Association of Canada, who provided a power point presentation and filed a copy of his presentation and deputation;
- Alex MacDonald, Association of Massage Therapists and Holistic Practitioners;
- Danielle Sade, Canadian Federation of Aroma Therapists, and filed a written submission;
- Tim Phillips, Healing on the Danforth, and filed a written submission;
- Victoria Lorient-Faibish, M.Ed., RPP, Registered Polarity Practitioner, Ontario Polarity Therapy Association and filed a written submission;
- Paul Overy, M.Sc., CTP, Canadian Trager Association, and filed a written submission;
- David Pinto, BA, RPP, RCST, IMP, Craniosacral Therapy Association of North America Integrative Manual Therapy Association, and filed a written submission;
- Angie Leavey, CAHP, HHP, Canadian Federation of Aromatherapists, and filed a written submission;
- Don Reid, RRPr, Governmental Affairs, Reflexology Registration Council of Ontario, and filed a written submission;
- Allison Erdmann, B.Sc. CST, Past President, Shiatsu Therapy Association of Ontario, and filed a written submission;
- Peggy Barrett, President, Ontario Aromatherapy Association, and filed a written submission;

Planning and Transportation Committee Minutes
Monday, June 27, 2005

- Sandra Johnston and read a submission from Gail Sandler and filed a copy of this submission;
- Ruby Hurlbut;
- Nadine Feldman;
- Debra De Monte;
- Terry Koumoudouros, President, House of Lancaster, and filed a written submission;
- Nick Bakoias;
- Peter Kudryk;
- Sasa Goutzoulis;
- Craig Netten;
- Serge Rico;
- Spiros Koumoudouros, Vice-President, House of Lancaster;
- Tracy Thompson;
- Thomas Daly and filed a written submission;
- Celina Ainsworth, Clinical Herbalist, Vice President of the Ontario Herbalists Association, Owner and Director of The Herbal Clinic and Dispensary;
- Darryl Burgwin;
- Bonnie Smith, Canadian Reiki Association;
- Jeanette Sarkissian, Reflexology Association of Canada, Toronto Chapter and filed a written submission;
- Vicki Rostant;
- Enza Ierullo;

Planning and Transportation Committee Minutes
Monday, June 27, 2005

- LuSinda Dionne, on behalf of Eric Brown;
- William Roberts;

- E.R. Evaneshen;

- France Trudeau, Reflexology Association of Canada, and filed a written submission;

- Dr. Ben Wu, President, Ontario College of Traditional Chinese Medicine; and

- Sean Didier, who provided a power point presentation.

The following Members of Council also addressed the Planning and Transportation Committee:

- Councillor Olivia Chow, Trinity-Spadina;
- Councillor George Mammoliti, York-West;
- Councillor Frances Nunziata, York South-Weston; and
- Councillor Bill Saundercook, Parkdale-High Park.

The Planning and Transportation Committee recommended that:

(1) City Council:

- (a) adopt the staff recommendations contained in the Recommendations Section of the report (June 20, 2005) from the Executive Director, Municipal Licensing and Standards, subject to deleting the following Recommendation (4 (x):

“(4)(x) No Holistic or Traditional Medicine Establishment shall be located within 200 metres of any licensed Adult Entertainment Parlour and Body Rub Parlour;”;

- (b) discontinue the licensing of Traditional Chinese Medicine and Acupuncture pending provincial legislation of the practice as referred to in the communication (June 27, 2005) from George Smitherman, Minister of Health and

Long-Term Care; **(Motion by Councillor Moscoe)**

- (2) the fees for Holistic licenses be maintained as presently constituted; **(Motion by Councillor Moscoe)**
- (3) the 2005 Business Licensing fees (both for new licences and renewals thereof) for all other businesses licensed under Toronto Municipal Code Chapter 545, Licensing be increased by \$35.00; **(Motion by Councillor Filion)**
- (4) the City Solicitor be requested to submit a report to the Planning and Transportation Committee on:
 - (a) how the City could place greater onus on landlords who rent to body rub establishments and, if necessary, obtain outside legal assistance in this matter; and
 - (b) the feasibility of utilising medical malpractice insurance as a means of separating the sex trade from legitimate holistic practitioners; **(Motion by Councillor Moscoe)**
- (5) the Executive Director, Municipal Licensing and Standards be requested to submit a report to the Planning and Transportation Committee on how holistic practitioners could be permitted to instruct students without having to license them; **(Motion by Councillor Moscoe)**
- (6) copy of the report (June 20, 2005) from the Executive Director, Municipal Licensing and Standards be forwarded to:
 - (a) Members of the Toronto Licensing Tribunal for their information;
 - (b) the Team negotiating the new City of Toronto Act; and
 - (c) the Toronto Police Services Board for their information; **(Motion by Councillor Moscoe)**

and

- (7) the Executive Director, Municipal Licensing and Standards be requested to:
- (i) ensure that future reports separate the issue of the licensing or registering of Holistic practices and the issue of body rub parlours; (**Motion by Councillor Ootes**) and
 - (ii) submit a report to the Planning and Transportation Committee in one year's time on how the new process is working. (**Motion by Councillor Filion**)

The following Motions were voted on and **lost**:

Motion by Councillor Ootes:

That the Planning and Transportation Committee refer the report (June 20, 2005) from the Executive Director, Municipal Licensing and Standards back to staff for a further report on the City of Markham Registry and compare it to the licensing proposal.

Motion by Councillor Stintz on behalf of Councillor Nunziata:

That the Planning and Transportation Committee recommended to Council that a City Liaison Committee be established governed by two members of the Police Services Board, two members of the Planning and Transportation Committee and one member of the Administration Committee.

Motion by Councillor Jenkins:

That the Planning and Transportation Committee recommended to Council that the report (June 20, 2005) from the Executive Director, Municipal Licensing and Standards be amended by deleting Recommendation 4(ix) and renumbering the remaining recommendation.

(Clause 6, Report 6)

6-13 Metal Detectors/Security Measures in Nightclubs

The Planning and Transportation Committee considered the following communications:

- (1) (May 27, 2005) from the City Clerk advising that City Council on May 17, 18 and 19, 2005, referred the following Motion to the Planning and Transportation Committee:

Moved by Councillor Mammoliti, seconded by Councillor Nunziata

“WHEREAS on Sunday, April 22, 2005, gun fire erupted in the Prestige Palace; and

WHEREAS when the shooting stopped, six people had been wounded and Livvete Miller had been gunned down; and

WHEREAS only a short time after Toronto Police responded to a shooting at a North York nightclub, authorities were summoned downtown in response to another shooting; and

WHEREAS a 33 year-old doorman was shot in the stomach outside of the Film Lounge near Dundas and Beverley, at approximately five in the morning, in front of several witnesses; and

WHEREAS there have been over 20 nightclub-related deaths in the last 15 years in the City of Toronto; and

WHEREAS steps need to be taken to minimize, if not end, these pointless acts of violence that take place in our City; and

WHEREAS City Council at its special meeting on May 4, 2005, by its adoption of Motion J(3), entitled ‘Interim Control By-Law - King-Spadina Part II Plan’, directed the Executive Director of Municipal Licensing and Standards to consult with the Chief of Police and report to the October meeting of the Planning and Transportation Committee on immediate amendments to Chapter 545, Licensing, to implement standards to define and regulate such uses, and that notice be given as required by the Municipal Code Chapter 162, Notice, Public; and also requested the Executive Director to include in the 2006 budget process, a business case to undertake a broad review of

the licensing requirements of all facilities that provide food and entertainment activities, and make recommendations to deal with problems, including security;

NOW THEREFORE BE IT RESOLVED THAT the Executive Director of Municipal Licensing and Standards be directed to include in her forthcoming report on licensing amendments, a review of the requirement that all new nightclubs install metal detectors or other similar security measures as a condition to these clubs obtaining the necessary licenses to operate and that all existing clubs upgrade their security to include metal detectors or other similar security measures.”

- (2) (June 24, 2005) from Councillor Giorgio Mammoliti, York West.

The following Members of Council addressed the Planning and Transportation Committee:

- Councillor George Mammoliti, York-West; and
- Councillor Frances Nunziata, York-South Weston.

On motion by Councillor Stintz, the Planning and Transportation Committee:

- (1) referred the communication (May 27, 2005) from the City Clerk to the Executive Director, Municipal Licensing and Standards; and
- (2) requested the Executive Director, Municipal Licensing and Standards to report on licensing or alternative measures that may improve safety in nightclubs in her forthcoming report on licensing amendments, including suggestions to the Province on the process of issuing liquor licenses.

(Executive Director, Municipal Licensing and Standards – June 27, 2005)

(Clause 10(g), Report 6)

6-14 Administrative Charges for Remedial Work

The Planning and Transportation Committee considered a report (June 15, 2005) from the Executive Director, Municipal Licensing and Standards, recommending a revision to the existing table of administrative costs recovered for remedial work carried out under the relevant municipal bylaws enforced by the Municipal Licensing and Standards Division as set out in § 441-14. B.

Recommendations:

It is recommended that:

- (1) the Table contained in § 441-14. B. of the City of Toronto Municipal Code be amended by deleting the amounts as set out for the Contract Costs in Column 1 and Administrative Charge in Column 2 and replacing the administrative costs be recovered as a scaled fee based on the costs incurred by the City for contracts of various lengths, as provided in Schedule A of this report; and
- (2) the City Solicitor be directed to prepare the necessary bill to give effect to the recommendations in this report.

The Planning and Transportation Committee held a public meeting on June 27, 2005, in accordance with the *Municipal Act, 2001*, and notice of the proposed amendment to the Toronto Municipal Code Chapter 441, Fees, was posted on the City's web site for a minimum of four days.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the Recommendations Section of the report (June 15, 2005) from the Executive Director, Municipal Licensing and Standards.

(Clause 7, Report 6)**6-15 Co-ordinated Street Furniture Programme**

The Planning and Transportation Committee considered the following report and communication:

- (i) (June 15, 2005) from the Acting General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning, reporting as requested by City Council, on a work plan to advance a co-ordinated street furniture

program.

Recommendations:

It is recommended that:

- (1) the strategy outlined in this report for achieving a co-ordinated street furniture programme, with initial implementation targeted to commence in late 2007, as an important facet of the Clean and Beautiful City initiative, be endorsed;
 - (2) the project team report to the Works Committee and Council in the first half of 2006 on:
 - (a) progress achieved through the public and stakeholder consultation processes;
 - (b) the status of the Design and Policies Guidelines document; and
 - (c) the status of the Request for Proposals (RFP) document;
 - (3) this report and Council's actions be referred to the Roundtable on the Beautiful City; and
 - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (ii) communication (June 24, 2005) from James L. Robinson, Executive Director, Downtown Yonge Business Improvement Area.

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the Recommendations Section of the report (June 15, 2005) from the Acting General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning subject to adding the following to:

- (a) the Section of the report entitled "Current Initiatives and Activities":

“(ix) Postering Kiosk;” and

(b) the Section of the report entitled “Related Street Amenity Elements”:

“(vii) Billboard Advertising and Clothing Drop Boxes”;

for consideration by Council at its meeting scheduled to be held on July 19, 2005, with Clause 6 of Report 7 of the Works Committee.

The following Motion was voted on and **lost**:

Moved by Councillor Minnan-Wong:

That the Planning and Transportation Committee recommended to Council that Recommendation (3) contained in the report (June 15, 2005) from the Acting General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning, be amended to read as follows:

“(3) this report and Council’s actions be referred to the Roundtable on the Beautiful City for information only.

(City Council – June 27, 2005)

(Clause 10(h), Report 6)

6-16 St. Clair Avenue West Transit Improvement Project

The Planning and Transportation Committee considered a communication (May 19, 2005) from the Toronto Pedestrian Committee advising that the Toronto Pedestrian Committee on May 11, 2005 recommended to the Planning and Transportation Committee that City Council approve the following Motion:

WHEREAS City Council, in approving the Environmental Assessment study for St. Clair Avenue West, decided on, ‘preserving the current sidewalk width on St. Clair Avenue West as a key guiding principle in the detailed design work’; and

WHEREAS the current plans for St. Clair Avenue West fail to meet City Council’s intent by calling for sidewalk cuts of up to 3.6 m., leaving reconstructed sidewalks of only 2.0 m. at major intersections; and

WHEREAS the reduced sidewalks will not provide safe pedestrian waiting areas, will increase the distance to cross the street, and will prevent the incorporation of trees and benches on the sidewalk; and

WHEREAS it is possible to have a dedicated streetcar lane and a people-friendly environment by reducing the space allocated to through vehicular traffic;

NOW THEREFORE BE IT RESOLVED THAT the Toronto Pedestrian Committee advised the Planning and Transportation Committee to, wherever a sidewalk is being reduced along the St. Clair Avenue West Transit Improvement Project, advise the Design Team for the Project to make it a top priority to maintain the current width of sidewalk.

Ms. Helen Riley addressed the Planning and Transportation Committee.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the communication (May 19, 2005) from the Toronto Pedestrian Committee to the Community Design Group, for consultation; and directed that the Toronto Pedestrian Committee be involved in this consultation.

(Senior Public Consultation Co-ordinator, Transportation Services – June 27, 2005)

(Clause 10(i), Report 6)

6-17 College Street Pedestrian Clearway Pilot Project

The Planning and Transportation Committee considered a communication (June 15, 2005) from the Toronto Pedestrian Committee advising that the Toronto Pedestrian Committee at its meeting on June 8, 2005, recommended to the Planning and Transportation Committee that City Council approve the following motion:

“WHEREAS City Council has directed staff to prepare a report on the proposed ‘pedestrian clearway’ pilot project for College Street, from Bathurst Street to Spadina Avenue; and

WHEREAS there is significant potential for pedestrian benefit from this pilot project, and its potential application to others areas of Toronto;

NOW THEREFORE BE IT RESOLVED THAT the Planning and Transportation Committee be requested to recommend to City Council that the Toronto Pedestrian Committee be actively involved in the review, critical challenge and advocacy of the ‘pedestrian clearway’ pilot project as it moves through stakeholder presentations, Community Council and City Council.”

On motion by Councillor Moscoe, the Planning and Transportation Committee recommended that the Toronto Pedestrian Committee be actively involved in the review, critical challenge and advocacy of the ‘pedestrian clearway’ pilot project as it moves through stakeholder presentations, Community Council and City Council as requested by the Toronto Pedestrian Committee in the communication (June 15, 2005) from the Toronto Pedestrian Committee.

(Clause 8, Report 6)

6-18 Sale of Assets Under the Purview of the Works Committee

The Planning and Transportation Committee considered a communication (May 24, 2005) from the City Clerk advising that City Council on May 17, 18 and 19, 2005, considered Clause 30, Report 5 of the Policy and Finance Committee headed “Sale of Assets Under the Purview of the Works Committee”, and directed the Budget Advisory Committee to inform the Standing Committees as soon as possible if the Committee makes recommendations concerning extraordinary transactions in assets typically within the purview of that Standing Committee.

On motion by Councillor Stintz, the Planning and Transportation Committee received the communication (May 24, 2005) from the City Clerk.

(Clause 10(j), Report 6)

6-19 Outstanding Items List – Planning and Transportation Committee

The Planning and Transportation Committee considered a communication (June 13, 2005) from the City Clerk, forwarding the list of Outstanding Items for the Planning and Transportation Committee from January 2004, to December 2004.

On motion by Councillor Moscoe, the Planning and Transportation Committee referred the communication (June 13, 2005) from the City Clerk back to the City Clerk, with a request that the format of the list of outstanding items be revised, in consultation with the Chair of the Planning and Transportation Committee, so that a Member of Council, at a glance, can determine the status of an issue as it works its way through the system, and submit a revised list to the next meeting of the Planning and Transportation Committee scheduled to be held on September 12, 2005.

(Clause 10(k), Report 6)

6-20 Proposed Graffiti Abatement Strategy “Clean Team” Operations

The Planning and Transportation Committee considered a report (June 17, 2005) from the Executive Director, Municipal Licensing and Standards advising the Planning and Transportation Committee on the feasibility of year-round graffiti removal operations, the type of paint utilized in the graffiti removal process and the acquisition of pressure washers for graffiti removal.

Recommendations:

It is recommended that:

- (1) the “Clean Team” graffiti removal operating season be extended by four months, from the current time period of May to September to an extended period of March to November;
- (2) the acquisition of two pressure washers and related equipment and supplies be approved, and the cost of \$7,000.00 be absorbed within the non-salary Municipal Licensing and Standards’ budget; and
- (3) staff be authorized to undertake whatever actions are necessary to implement the recommendations contained in this report.

On motion by Councillor Minnan-Wong, the Planning and Transportation Committee referred the report (June 17, 2005) from the Executive Director, Municipal Licensing and Standards, back to the Executive Director, Municipal Licensing and Standards for a report to the next meeting of the Planning and Transportation Committee

scheduled to be held on September 12, 2005, on other options that can be used for covering graffiti such as anti-graffiti base paints.

(Executive Director, Municipal Licensing and Standards – June 27, 2005)

(Clause 10(l), Report 6)

6-21 Building Activity Report for 2004 (All Wards)

The Planning and Transportation Committee considered a report (June 17, 2005) from the Chief Building Official and Executive Director, reporting along with its attachment providing information on building permit activity in the City of Toronto for the year 2004.

Recommendation:

It is recommended that this report including its attachment be received for information.

On motion by Councillor Moscoe, the Planning and Transportation Committee received, for information, the report (June 17, 2005) from the Chief Building Official and Executive Director.

(Clause 10(m), Report 6)

**6-22 Study Approach for Environmental Issues
Birchcliff Quarry Lands Study
File No. 03 180350 ESC 36 TM
(Ward 32 – Beaches – East York)
(Ward 35 and 36 Scarborough Southwest)**

The Planning and Transportation Committee considered a report (June 23, 2005) from the Chief Planner and Executive Director, City Planning Division, reporting on a process for undertaking an environmental review of City-owned lands within the larger Birchcliff Quarry Lands study area.

Recommendation:

It is recommended that City Council:

- (1) Direct and authorize staff to engage, if required, a qualified environmental engineer to advise on an appropriate study approach for a detailed site environmental investigation of City-owned lands within the Birchcliff Quarry Lands Study area, including proposed detailed terms of reference for actual site testing, as outlined in Attachment 2 to this report; and
- (2) that Facilities and Real Estate staff, based on the recommendations of the consulting engineer, report to the appropriate committee in the fall of 2005 on the detailed terms of reference for the site environmental investigation and the cost-funding implications of proceeding with such an investigation.

On motion by Councillor Stintz, the Planning and Transportation Committee recommended that City Council adopt the staff recommendations contained in the Recommendations Section of the report (June 23, 2005) from the Chief Planner and Executive Director, City Planning.

(Clause 9, Report 6)

6-23 Partial Settlement of Appeals of the New Official Plan with the Urban Development Institute and the Greater Toronto Home Builders' Association

The Planning and Transportation Committee considered a confidential report (June 17, 2005) from the Chief Planner and Executive Director, City Planning respecting Partial Settlement of Appeals of the New Official Plan with the Urban Development Institute and the Greater Toronto Home Builders'.

On motion by Councillor Stintz, the Planning and Transportation Committee received the confidential report (June 17, 2005) from the Chief Planner and Executive Director, City Planning.

(Clause 10(n), Report 6)

6.24 3-1-1 Customer Service Strategy: 2005 Capital Budget Request and 2006/2007 Capital Budget Progress Report

The Planning and Transportation Committee considered a communication (June 22, 2005) from the e-City Committee advising that the Committee on June 20, 2005, in accordance with staff recommendation (7) in the Recommendations Section of the report (June 17, 2005) from the City Manager, directed that this report be forwarded to all Standing Committees for information, followed by presentations from the e-City Chair in conjunction with the 3-1-1 Project Management Office reflecting the priority Council has given to 3-1-1.

Councillor Karen Stintz, Member, e-City Committee, provided a presentation with respect to the 3-1-1 Customer Service Strategy: 2005 Capital Budget Request and 2006/2007 Capital Budget Progress Report.

The Planning and Transportation Committee received the communication (June 22, 2005) from the e-City Committee; and the presentation from Councillor Karen Stintz respecting the 3-1-1 Customer Service Strategy.

(Clause 10(o), Report 6)

The Committee adjourned its meeting at 6:36 p.m.

Chair